

SEP 30 2004

S/N 09/980,925

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BACQUES ET AL.

Examiner: T. MAI

Serial No.: 09/980,925

Group Art Unit: 3727

Filed: OCTOBER 18, 2001

Docket No.: 11027.25USWO

Title: CRATE, SET OF BLANKS, METHOD FOR OPENING A CRATE AND
METHOD AND MACHINE FOR THE PRODUCTION OF SAID CRATE.CERTIFICATE UNDER 37 CFR 1.6(d):I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September
30, 2004.

By:

Name: Lisa R. Hill

RESPONSECommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed April 21, 2004, Applicants provide the following comments. The Examiner has requested restriction of examination to one of four groups. Group I comprises claims 1-40 drawn to a container apparently classified in class 229, subclass 129.1. Group II comprises claims 41 and 42 drawn to a method of making a container apparently classified in class 493, subclass 52. Group III comprises claims 43-46 drawn to an apparatus, classified in class 493, subclass 210. Group IV comprises claims 47-49 drawn to a method of using a container apparently classified in class 206, subclass 738. Applicants respectfully elect Group I comprising claims 1-40 drawn to a container, with traverse. The basis of Applicants traversal is that the Examiner has not explained why examination of all claims pending herein is burdensome. Further, the Applicants do not necessarily wish to be bound by the Examiner's logic in posing the request for restriction of examination.

Further, the Examiner has also requested election of species to one of twelve groups identified on pages 3 and 4 of the Action. Applicant respectfully elects Group II comprising Figures 4-6 directed to claims 1, 2, 4, 6, 7, 9, 12, 15, 16, 18, 22, 23, 32, 34, 35, 36, 37, 38, 40 and

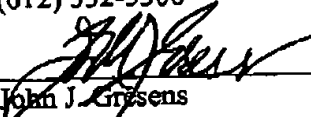
41 to 49 with traverse. Claim 1 is generic. Again, Applicants do not necessarily wish to be bound by the Examiner's logic in requesting election of species.

Favorable consideration of all claims pending herein is respectfully requested.

Respectfully submitted,

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Date: 9/30, 2004


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